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09/482,969	01/12/2000	Norman C. Chan	Chan 11	7737

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EXAMINER

ANWAH, OLISA

ART UNIT PAPER NUMBER

2645

DATE MAILED: 03/26/2004

21

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/482,969

Applicant(s)

CHAN, NORMAN C.

Examiner

Olisa Anwah

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) 3 and 13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-12 and 14-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2645

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1, 2, 4-12 and 14-28 are rejected under 35 U.S.C § 103(a) as being unpatentable over Peltz, U.S. Patent No. 6,546,097 (hereinafter Peltz) combined with Sassin et al, U.S. Patent No. 6,449,260 (hereinafter Sassin) in further view of Szlam, U.S. Patent No. 5,511,112 (hereinafter Szlam).

Regarding claim 1, Peltz discloses a method for use in managing outgoing calls in a call center, comprising initiating a call to a first party from the call center via a communication medium; monitoring said communication medium for signals received from a called location associated with the first party after said step of initiating a call; detecting an initial audible signal received from the first party location via said

Art Unit: 2645

communication medium, wherein the initial audible signal is the first signal detected on the communication medium after said call is answered; initiating processing of said initial audible signal in a call classifier to determine a characteristic of said initial audible signal, said step of initiating processing includes initiating processing that will analyze whether said initial audible signal was generating by a live party; and playing a prerecorded greeting over said communication medium during said call, said prerecorded greeting being played during a time period when said call classifier is processing said initial audible signal, wherein said analysis of whether said initial audible signal was generated by a live party is the initial call classifier analysis made during the call (columns 3-5).

With respect to claim 1, Peltz does not disclose before the call is answered, a first agent of the call center has been selected to service the call. However Sassin discloses this limitation (col. 9, line 20 to col. 10, line 2). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Peltz with the selecting step taught by Sassin. This modification would allow agents to be alerted as suggested by Sassin.

Art Unit: 2645

Further regarding claim 1, the combination of Peltz and Sassin fails to teach the prerecorded greeting is recorded in the voice of the first agent. However Szlam teaches this limitation (col. 2, line 57 and columns 7-9). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Peltz and Sassin with the prerecorded greeting taught by Szlam. This modification improves the service to a called party as suggested by Szlam.

Regarding claim 2, see col. 4, lines 10-40 of Peltz.

Regarding claim 4, see col. 5, lines 20-27 of Peltz.

Regarding claim 5, see col. 1, lines 35-40 of Peltz.

Regarding claim 6, see Figure 1 of Peltz.

Regarding claim 7, see column 3 of Peltz.

Claim 8 is rejected for the same reasons as claim 1.

Regarding claim 9, see column 1 of Peltz.

Regarding claim 10, see column 3 of Peltz.

Regarding claim 11, see Figure 3 of Peltz.

Regarding claim 12, see column 4 of Peltz.

Regarding claim 14, see column 5 of Peltz.

Claim 15 is rejected for the same reasons as claim 8.

Regarding claim 16, see columns 2 and 4 of Peltz.

Art Unit: 2645

Regarding claim 17, see Figure 1 and column 4 of Peltz.

Regarding claim 18, see Figure 1 of Peltz.

Regarding claim 19, see column 1 of Peltz.

Regarding claim 20, see Figure 1 of Peltz.

Regarding claim 21, see Figure 1 of Peltz.

Regarding claim 22, see Figure 1 and column 3 of Peltz.

Regarding claim 23, see Figure 3 of Peltz.

Regarding claim 24, see column 1 of Peltz.

Regarding claim 25, see column 1 of Peltz.

Regarding claim 26, see columns 3-5 of Peltz. Also see col. 2, line 57 and columns 7-9.

Claim 27 is rejected for the same reasons as claim 26.

Claim 28 is rejected for the same reasons as claim 27.

Response to Amendment

3. Applicant's arguments have been considered but are deemed to be moot in view of the new grounds of rejection.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is

Art Unit: 2645

reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 703-305-4814. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 703-305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Application/Control Number: 09/482,969

Page 7

Art Unit: 2645

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

O.A.

Olisa Anwah
Patent Examiner
March 12, 2004

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

A handwritten signature in black ink, appearing to read 'Fan Tsang', written in a cursive style.